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Paper No. 7

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MAIL

JUN 6 - 2003

In re Application of:
Gary Russell
Application No. 09/939,932
Filed: August 27, 2001
For: SYSTEM FOR HALFTONE SCREEN
PRODUCTION

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600
DECISION ON PETITION
TO MAKE SPECIAL

This is a decision on the petition filed April 29, 2003 under Manual of Patent Examination Procedure §708.02, VIII requesting accelerated examination.

The petition under Manual of Patent Examination Procedure §708.02, VIII, must:


- (1) be filed prior to receiving any examination by the examiner,
- (2) be accompanied by the required fee- \$130,
- (3) the claims should be directed to a single invention (if it is determined that the claims pertain to more than one invention, then applicant will have to make an election without traverse or forfeit accelerated examination status),
- (4) state that a pre-examination search was made, and fully discuss the search method employed, such as classes and subclasses searched, publications, Chemical abstracts, patents, etc. A search made by a foreign patent office satisfies this requirement,
- (5) be accompanied by a copy of each of the references most closely related to the subject matter encompassed by the claims if said references are not already of record,
- (6) fully discuss the references, pointing out with the particularity required by 37 C.F.R. §1.111(b) and (c), how the claimed subject matter is patentable over the references.

The petition does not meet items 4 and 6 listed above. The petition does not fully discuss the search method employed, such as classes and subclasses searched, publications, etc., nor are any of the references fully discusses by pointing out with particularity how the claimed subject matter is patentable over the references. Petitioner recites an Information Disclosure Statement (IDS) mailed April 21, 2003, but there is no such IDS. Perhaps Petitioner is referring to the IDS filed October 19, 2001 (with a Certificate of Mailing of October 15, 2001). If not, Petitioner would also not meet item 5.

Accordingly, the petition is **DENIED**.

Any request for reconsideration must be filed within **TWO MONTHS** of the date of this decision. No further petition fee is required.

The application is being forwarded to the group Central Files and will await action in its regular turn.


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Communications